

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BRANDON CHE LEE,

Petitioner,

v.

COLLINS, *et al.*,

Respondents.

Case No. 2:15-cv-01539-MMD-VCF

ORDER

This case is a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2241, by Brandon Che Lee. (Dkt. no. 1.) In his petition, Lee identified his place of incarceration as the Nevada Southern Detention Center, a facility that houses federal detainees and convicts. (*Id.*) He has since notified the Court that he is now housed in a federal prison in Sheridan, Oregon. (Dkt. no. 5.)

The Court has reviewed Lee's petition pursuant to 28 U.S.C. § 2243. It plainly appears from the petition that Lee does not state any potentially meritorious habeas corpus claims. The petition consists, for the most part, of a rambling narrative describing how he was mistreated by staff members and other inmates at the Nevada facility. Then, in identifying the relief he seeks, Lee states, "I would like to request to the court that I be released immediately because my incarceration is under the false criminal case in No. SACR 07-207 AG." (Dkt. no. 1 at 11.)

His request for habeas relief is entirely unsupported by factual allegations and without rational legal basis. While it appears that he seeks to challenge a criminal

1 conviction entered in the U.S. District Court for the Central District of California, his
2 petition contains scant information about that case and no identifiable grounds upon
3 which the conviction might be set aside. Moreover, this Court is not the proper forum for
4 such an action because Lee is currently incarcerated in Oregon and wants relief from a
5 conviction lodged in California.¹ See *Braden v. 30th Judicial Circuit Court*, 410 U.S. 484
6 (1973); *Dunne v. Henman*, 875 F.2d 244 (9th Cir. 1989).

7 It is therefore ordered that this action is dismissed. The petitioner is denied a
8 certificate of appealability.

9 It is further ordered that the Clerk of the Court shall enter judgment accordingly.

10 DATED THIS 5th day of October 2015.

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13 MIRANDA M. DU
14 UNITED STATES DISTRICT JUDGE
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28 ¹Moreover, Lee has named only the warden of the Nevada facility and Attorney General of Nevada as respondents, neither of whom qualify as his “custodian.”